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(PRESIDENT)

TO

EDWARD J. MCLEROY

OFFICE OF POSTAL & CUSTOMER SERVICE
U.S. HOUSE OF REPRESENTATIVES
NAT'L COURT
EXECUTIVE VICE PRESIDENT

July 23, 2001

U. S. House of Representatives
Washington, D.C. 20515

Dear Representative:

I am writing on behalf of the more than one million members of the American Federation of Teachers (AFT) to urge you to support H.R. 2563, the real Patients' Bill of Rights introduced by representatives Norwood, Ganske, and Dingell. This bill has been carefully crafted to provide consumer protections for all Americans covered by health insurance and provides the most comprehensive approach to real patient protections.

H.R. 2563, substantially similar to S. 1052 that recently passed the Senate, has the following essential features:

- covers 191 million workers and their families;
- ensures access to emergency care without prior authorization, following a "prudent lay person" standard;
- authorizes direct access to OB-GYNs and pediatricians as primary care physicians;
- provides access to pediatric specialties;
- provides for continuity of care when there is a change of plan or change in the provider network;
- provides for an independent external appeals process;
- authorizes patients to sue health plans in state courts, but disallows punitive damages if a plan complies with an independent external appeals decision; and
- provides "whistleblower" protections so that doctors and nurses can report patient quality problems without fear of retaliation from health maintenance organizations (HMOs), insurance companies or hospitals.

The whistleblower provision is vitally important to the 55,000 health care professionals represented by the AFT. They regularly face issues and concerns about patient care that they are ethically bound to report, and they should not place their jobs in jeopardy for doing so. The AFT believes that whistleblower language must be retained in any patients' bill of rights bill that is enacted into law.

The AFT finds H.R. 2315, introduced by Rep. Ernie Fletcher as an alternative to H.R. 2563, unacceptable. The Fletcher bill, supported by HMOs and the insurance industry, only appears to provide patient protections, but is designed to allow HMOs to continue to make medical decisions. This bill lacks comprehensive coverage, contains no whistleblower protections, limits access to specialists, stacks the deck towards HMOs in the review process; allows no protection against high cost medically necessary drugs, and limits state court enforcement of patient protections. Further, the Fletcher bill narrows its new federal court remedies to further protect HMOs at the expense of patients.

The AFT urges you to make the choice for a real Patients' Bill of Rights, H.R. 2563, the Norwood, Ganske, and Dingell bill that allows doctors rather than insurance companies make medical decisions.

Sincerely,

Charlotte J. Fraas, Director
Department of Legislation

CJF:cmw

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(HR 2563, NorwoodDingell Bill)